

MANSFIELD TOWNSHIP COMMITTEE MEETING

July 24, 2013

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Watters stated that the minutes were incomplete that the discussion about the Electric Service was not included.

Mr. Watters made a motion to deem the minutes incomplete from July 10, 2013 being that the discussion about electrical was not included, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstained: None

APPROVAL OF THE BILL LIST:

Mrs. Kocher asked about the monthly maintenance fee that is paid to the webmaster and he has still not done the training for the employees.

Mr. Watters made a motion to approve the bill list excluding Mr. Gaskill's bill until the contractual training is completed, which was seconded by Mrs. Kocher.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstained: None

CFO REPORT:

Mr. Pandos reported that today he and Ms. Hrebenak watched the energy bid and explained to the township committee the process for the auction and the bids that were received.

Mr. Farino explained that we works with Ambient and their rate for commercial is .0835 and the Township would get a \$100 credit for any other meters that are included on the account if there are up to 15 meters.

Mr. Watters asked if this is something that is open to municipalities for participation and stated that the companies should know the regulations of what is allowed.

Mr. Lavery explained that he is not sure that this is something that a municipality is able to do.

Mayor Tomaszewski made a motion to send paper bids out for the electric suppliers, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstained: None

Mr. Pandos stated that the tax bills were sent out and the grace period will be brought out to August 12th which would be the Monday after the 10th.

Mr. Pandos stated that he spoke to the Tax Assessor about the reassessment and the state has not gotten back to us.

CLERKS REPORT:

Ms. Hrebenak stated that an application for an off-site 50/50 was received from Mansfield Township Cowboys Parents Association to be held on October 26, 2013 at 8pm. Ms. Hrebenak also stated that an onsite raffle application was received for all of the home games to be held from August thru November. Ms. Hrebenak explained that all items were in order for the two raffle applications and that she would need a motion to approve the applications.

Mayor Tomaszewski made a motion to approve the applications for Mansfield Township Cowboys Parents Association, which was seconded by Mr. Watters.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstained: None

Ms. Hrebenak also explained to the Township Committee that the Administration server is failing there is no longer storage space and is being maintained about every two weeks to clear out items to make room and also that the tape backup is no longer working.

The Township Committee asked Ms. Hrebenak to start the process for quotes so that we could have an idea of the amount that will be needed to acquire the server.

Ms. Hrebenak stated that she would be purchasing an external hard drive to use for the backup in the meantime.

ENGINEERS REPORT:

Mr. DiSessa stated that there was a proposal that was given to the Township Committee earlier in July for the Diamond Hill Road project and that there was never any action taken to approve the proposal.

Mr. Watters made a motion to approve proposal for the design and engineering work for the Diamond Hill project, which was seconded by Mr. Clancy.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstained: None

Mr. DiSessa explained the conditions of the roads in Diamond Hill and the fact that there are a lot of spots that are not a stable enough surface to start with.

Mr. DiSessa stated that the State Aid grants for next year are out and will probably be due in September. Mr. DiSessa asked that if the Township Committee had any projects in mind to please let him know.

Mr. Watters asked Mr. DiSessa if he had checked with the County again about the Hance's Brook Bridge.

Mr. DiSessa stated that he had gotten over the hurdle of who's bridge it is and he plans to contact the County Engineer in reference to the repairs.

Mr. Watters stated that the county could also apply for state aid.

PUBLIC PORTION:

Mrs. Fannie Kocher, spoke to the township committee about coming to the Township Building and not getting any assistance.

Marvin Kocher, 5 Clover Ave, asked whether Mr. Pandos was covering that office.

The Committee explained that he was covering by saying that she will be back in one hour.

Mrs. Thompson asked for the billing to be checked for accuracy prior to mailing.

Mrs. Thompson asked about the Route 57 Auto Salvage license being issued.

Ms. Hrebenak stated that the license has been issued.

Mrs. Thompson asked if the Township Committee was aware that each year a RC Airplane weekend is held at the armory.

The Township Committee stated that they were unaware and that they would look into the information for the next year and that they were unsure that they would be able to do anything through our regulations.

Jennifer Rosenblum, 105 Rockport Road, stated that the county has not mowed by her house she has a new driver and is concerned with the high weeds and grass as far as a site issue.

Marvin Kocher, stated that there were properties in Anderson town that are not being maintained.

Mr. Profrock, 50 Slope Drive, wanted to clear up some of the concerns that the township committee had with the water restriction ordinance and explained that the water restriction could be put in place by proclamation by the Governor if there are draught conditions.

Mr. DiSessa and Mr. Profrock explained to the Township Committee that this would just be an extra arm of enforcement.

The Township Committee all agreed that they were not interested in taking any action with this ordinance.

RESOLUTION:

RESOLUTION # 2013 –89
REFUND OF RECREATION REGISTRATION
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, Richard Davis paid via credit card on February 22, 2013 in the amount of \$ 65.00 for Cheerleading with the Township of Mansfield, County of Warren,

WHEREAS, Haleigh does not wish to participate in Cheerleading and the time frame to refund the credit card directly has expired and a check will need to be issued,

NOW THEREFORE BE IT RESOLVED, that the Acting Chief Financial Officer be authorized to refund the amount of \$ 65.00 to Richard Davis.

Mr. Watters made a motion to approve the passage of Resolution 2013-89, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstained: None

2013-91

A RESOLUTION OF TOWNSHIP OF MANSFIELD AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Township of Mansfield has determined to move forward with the EMEX Reverse Auction in order procure electricity for the Township of Mansfield; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the “Act”) authorizes the purchase of energy generation service for public use through the use of an online auction service; and

WHEREAS, the Township of Mansfield will utilize the online auction services of EMEX, LLC,

an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act.

NOW THEREFORE BE IT RESOLVED that the Township of Mansfield will engage EMEX, LLC to conduct an online reverse auction for the procurement of electricity for Township of Mansfield; and

Mr. Watters made a motion to approve the passage of Resolution 2013-91, which was seconded by Mr. Clancy.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstained: None

ORDINANCE

Second Reading:

Mayor Tomaszewski opened the floor for public comment:

Mr. Clancy stated that he had been asked about the fact that the ordinance took the number from 7 to 5 members. Will the committee members be doubling up with some of the sports?

Mrs. Kocher stated that there was discussion that the sports would be put together under the Committee member as an example football and cheerleading.

Dawn Smith and Connie Adasavage, spoke to the Township Committee in reference to the Ordinance.

Mrs. Smith brought a number of issues that she has found with the ordinance that is up for approval tonight and also stated that the mission statement should apply to all forms of recreation for all ages and the membership should also include the word resident.

Mrs. Adasavage stated that the ordinance takes the power away from the Commissioners and that she agreed with this ordinance, but that she felt that there was some fine tuning that needed to be done to it.

Mayor Tomaszewski stated that the commissioners will stay through the appointments to the Recreation Committee at the next meeting.

Mr. Lavery asked that the present commissioners fill out the volunteer form and then at the next meeting we will consider what positions will be filled by whom.

ORDINANCE 2013-13

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF
WARREN, STATE OF NEW JERSEY, ABOLISHING THE BOARD OF
RECREATION COMMISSIONERS, AND IN ITS PLACE AND STEAD,
CREATING A RECREATION COMMITTEE**

WHEREAS, it is the desire of the governing body of the Township to provide for the recreational needs of all citizens of the Township; and

WHEREAS, the governing body has in the past entrusted that important task to the Board of Recreation Commissioners, formed pursuant to N.J.S.A. 40:12-1; and

WHEREAS, it is the determination of the governing body that the presently constituted Board of Recreation Commissioners has not provided for the recreational needs of all of the citizens of the Township in the manner the governing body deems best for the Township; and

WHEREAS, the governing body, being ultimately responsible for providing such recreational needs of the community, has determined that the same can be best accomplished by abolishing the Recreation Commission and forming a Recreation Committee under the direct authority and supervision of the Mayor and Township Committee; and

WHEREAS, the power to abolish the Board of Recreation Commissioners is derived pursuant to the revised statutes of the State of New Jersey, and as affirmed by Board of Recreation Commissioners of the Borough of Rutherford v. Board of Rutherford, 166 N.J. Super. 476 (App. Div. 1979).

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, as follows:

Section 1

The title of Section 2-31 of the Township Code is amended to read as follows:

“Recreation Committee”

Section 2

The existing Section 2-31 of the Township Code is repealed in its entirety, and the following new Section 2-31 is adopted in its place and stead as follows:

§2-31.1 Establishment. The Township Committee of the Township of Mansfield, deeming it necessary for

the proper and efficient conduct of the affairs of the municipality and particularly so to create a system of recreation programs designed to amuse, entertain and improve the physical fitness and to bring into closer harmony and relationship of the community of Mansfield as a whole, the neighborhoods making up that community and the families abiding therein, too, pursuant to the revised statutes so that the State of New Jersey, hereby establishes and creates a Recreation Committee.

§2-31.2 Members. The Recreation Committee shall consist of five (5) public members to be appointed for alternating three year terms. All such appointments shall be done by Resolution of the Township Committee at an open public meeting on an annual basis. The Mayor may appoint the Chair of the Recreation Committee.

§2-31.3 Powers. The Township Committee, through the Recreation Committee, shall have the full and complete authority and power to expend monies raised for and the operation of recreational fields and parks within the Township and all recreation programs thereon.

§2-31.4 General Regulations. Said Recreation Committee, in conjunction with and under the supervision of the Township Committee, shall supervise methods and arrangements for the proper maintenance and care of the lands and improvements with the Township Recreation fields and parks and all structures thereon now or hereafter owned by the Township and all recreational programs; shall formulate rules and regulations for the public use of said areas and all recreational programs; shall submit annually the requested budget indicating what sums may be necessary for the performance of the above functions and duties; shall recommend to the Township Committee a schedule of fees and charges to be made for the use of playground or recreational places for utilizing facilities, use of purchase of equipment and uniforms, participating in organized sports and activities and for such other purposes as may be deemed reasonable and proper by the Township Committee; and in all respects operate through and under the direction of the Township Committee in accordance with the administrative procedures and regulations of the Code of the Township of Mansfield. However, the Recreation Committee and its members shall have no power to take any action on behalf of the Township of Mansfield, or to take any other action, other than what is set forth within this subsection.

Section 3

The previously established Recreation Commission of the Township of Mansfield is hereby deemed

eliminated and dissolved, and all offices and membership in same which have been created are hereby revoked and dissolved. Any authority or power any person, or persons, had or was otherwise authorized by the existence of the Recreation Commission is hereby revoked. Any and all funds held by the Recreation Commission, barring any legal limitations, shall be immediately turned over by the Treasurer of the Recreation Commission to the Chief Financial Officer of the Township, and the Chief Financial Officer shall place such funds in the Recreation Trust Fund of the Township.

Section 4

This ordinance shall take effect immediately after passage.

Section 5

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Mr. Watters made a motion to approve the passage of Ordinance 2013-13 and requested that the results be advertised, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstained: None

Township of Mansfield
County of Warren

RESOLUTION # 2013-90

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR RECREATION TRUST FUND REQUIRED BY NJSA40:48-2.56 ET SEQ.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance, and

WHEREAS, NJSA40:48-2.56 et seq. provides for receipt of Recreation Trust Fund by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40:48-2.56 provides the dedicated revenues anticipated from the Recreation Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

- The Township Committee does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Recreation Trust Fund NJSA40:48-2.56 et seq.
- The Municipal Clerk of the Township of Mansfield is hereby directed to forward two certified copies of this resolution to the Division of Local Government Services.

Mayor Tomaszewski made a motion to approve the passage of Resolution 2013-90, which was seconded by Mr. Watters.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstained: None

COMMITTEE PERSON COMMENTS:

Mayor Tomaszewski made a motion to go into Executive Session at 9:14 pm, which was seconded by Mr. Watters.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstained: None

Roll Call: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Mrs. Kocher asked about the new evaluation forms and stated that in June all department heads were instructed to have all subordinates done with the reviews. Mrs. Kocher stated that Mr. Sliker did all of his and that Ms. Hrebenak had a schedule put together for the clerk's office. Mr. Pandos stated that he is working on his and that the court was told that they do not have to do the evaluations.

Mr. Lavery stated that he thinks that we should send a letter to the Administrative Office of the Courts to see if we are able to perform performance evaluations.

Mr. Watters made a motion to adjourn at 9:32pm, which was carried by all.